

## **AMENDMENT TO THE CLAIMS**

The following listing of claims will replace all prior versions and listings of claims in the application.

### **LISTING OF CLAIMS**

1. (Currently Amended) A transaction card comprising:

a metal layer which is continuous over the entire area of said transaction card;

a second layer;

wherein said metal layer is coextensive with the entire area of said second layer; a first layer of metal selected from the group consisting of titanium and stainless steel wherein said first layer of metal has a thickness of at least between 8 mils and 30 mils, wherein said first layer of metal has a portion that is thinner than the remainder of the first layer of metal;

embossed characters in the metal layer disposed in the portion that is thinner than the remainder of the first layer of metal, said embossed characters protruding from a surface of the transaction card; and

a recordable medium on or within incorporated into said transaction card for storing information relating to a transaction account and configured to conduct a transaction at a point of sale terminal.

2. (Canceled)

3. (Canceled)

4. (Currently Amended) The transaction card of claim 1 wherein said metal layer the layer of metal is provided on a an outermost surface of said the transaction card.

5. (Canceled)

6. (Currently Amended) The transaction card of claim [[5]] 1 further wherein said second layer substrate is laminated to said first layer of metal layer.

7. (Currently Amended) The transaction card of claim [[5]] 1 wherein said second layer substrate is selected from the group consisting of a thermoplastic polymer and a metal.

8. (Currently Amended) The transaction card of claim 7 wherein said the thermoplastic polymer is selected from the group consisting of polyvinyl chloride and polyethylene terephthalate copolymer.
9. (Currently Amended) The transaction card of claim 1 further comprising:  
an adhesive layer disposed adjacent to the first layer of metal between said metal layer and said second layer.
10. (Currently Amended) The transaction card of claim [[5]] 1 further comprising:  
an adhesive layer disposed adjacent the second layer of the substrate on said second layer.
11. (Currently Amended) The transaction card of claim 1 wherein the said recordable medium comprises a magnetic stripe disposed on said metal layer, the first layer of metal.
12. (Currently Amended) The transaction card of claim [[5]] 1 wherein the recordable medium comprises a magnetic stripe disposed on said second layer the second layer of the substrate.
13. (Currently Amended) The transaction card of claim 9 wherein the said recordable medium comprises a magnetic stripe disposed on the said adhesive layer.
14. (Currently Amended) The transaction card of claim 10 wherein the said recordable medium comprises a magnetic stripe disposed on the said adhesive layer.
15. (Currently Amended) The transaction card of claim 1 further comprising:  
a coating on a an outermost surface of the said transaction card.
16. (Currently Amended) The transaction card of claim 15 wherein the said coating is comprised of a material selected from the group consisting of silane, polyethylene terephthalate, acrylic, titanium carbonitride and a thermoset polymeric material.

17. (Currently Amended) The transaction card of claim 15 wherein ~~the said~~ coating comprises a dye for providing a color to ~~the said~~ transaction card.
18. (Currently Amended) The transaction card of claim 1 further comprising: a pattern etched into said metal layer, ~~a surface of the metal layer~~.
19. (Currently Amended) The transaction card of claim 18 wherein ~~the said~~ pattern is etched by a laser beam.
20. (Currently Amended) The transaction card of claim 1 further comprising: a microchip embedded in ~~the said~~ metal layer.
21. (Currently Amended) The transaction card of claim 1 further comprising: an oxide layer disposed on said metal layer ~~on at least one surface of the metal layer~~ from an anodizing process.
22. (Currently Amended) The transaction card of claim 1 wherein ~~the said~~ metal layer is about 30 mils thick.
23. (Canceled)
24. (Canceled)
25. (Currently Amended) The transaction card of claim 1 further comprising: chamfer edges around ~~the~~ a perimeter of ~~the~~ said transaction card.

26-53 (Canceled)

54 26. (Currently Amended) The transaction card of claim 1 wherein said metal layer of metal has a thickness greater than about 10 mils.

55 27. (Canceled)

56 28. (Canceled)

57 29. (Canceled)

58 (New) The transaction card of claim 1, wherein said metal layer is comprised of a metal selected from the group consisting of titanium and stainless steel.

59. (New) The transaction card of claim 1, wherein said metal layer has a portion that is thinner than a remainder of said metal layer.

60. (New) The transaction card of claim 59, further comprising embossed characters in said metal layer disposed in said portion that is thinner than said remainder of said metal layer.

61. (New) The transaction card of claim 60, wherein said embossed characters protrude from a surface of said transaction card.

62. (New) The transaction card of claim 1, wherein said metal layer is comprised of a nonprecious metal.